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REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (optional)

0315-000451/REK

I hereby declare that:

Each inventor's residence, mailing address and citizenship are stated below next to their name. I believe the inventors named below to be the original and first inventor(s) of the subject matter which is described and claimed in patent number 6,499,305, granted 12-31-2002 and for which a reissue patent is sought on the invention entitled Adaptive Control For A Refrigeration System Using Pulse Width Modulated Duty Cycle Scroll Compressor.

the specification of which

- ☐ is attached hereto.
- ☒ was filed on 1-16-2004 as reissue application number 10/760,173
and was amended on 2-2-2006, 5-16-2006, 10-9-2006, and 2-7-2007.
(if applicable)

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

- ☐ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

- ☐ by reason of a defective specification or drawing.
- ☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.
- ☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

Independent Claim 1, as issued, too narrowly claimed the control system of the subject application. Specifically, independent Claim 1, as issued, recited both a diagnostic module at line 8 and an alert module at line 12 in addition to the controller recited at line 3. Independent Claim 15 now recites a controller at line 2 and a module at line 5, thereby removing recitation of two separate elements (i.e., the diagnostic module and the alert module). Because the controller, diagnostic module, and alert module recited by issued independent Claim 1 at lines 3, 8, and 12, respectively, have been replaced with the controller and module of independent Claim 15 at lines 2 and 5, respectively, this is a broadening reissue.

[Page 1 of 3]

This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR page 2)

Docket Number (Optional)
0319-000451/REK

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

Note: To appoint a power of attorney, use form PTO/SB/81

Correspondence Address: Direct all communications about the application to

☒ The address associated with Customer Number: 27572

OR

☐ Firm or
Individual Name

Address

City

State

Zip

Country

Telephone

Email

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents files in a patent application that may contribute to identify theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(b) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Hung M. Pham

Inventor's Signature

Date

2/8/08

Residence
Dayton, Ohio

Citizenship
U.S.A.

Mailing Address
6671 Still Mead Drive
Dayton, Ohio 45414

Full name of second joint inventor (given name, family name)

Abjar Singh

Inventor's Signature

Date

2/7/08

Residence
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Citizenship
India

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Kennesaw, Georgia 30144

6350 TROY LN #1
MAPLE GROVE, MN 55311

☒ Additional joint inventors or legal representative(s) are named on separately numbered sheets, forms PTO/SB/02A or 02LR attached hereto

DECLARATION**ADDITIONAL INVENTOR(S)
Supplemental Sheet**

Page 3 of 3

Name of Additional Joint Invention, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Jean-Luc				Caillat			
Inventor's Signature <i>Jean-Luc Caillat</i>				Date <i>2/8/2008</i>			
Residence: City Dayton		State Ohio		Country U.S.A.		Citizenship France	
Mailing Address 7001 Settlement Way							
City	Dayton	State	Ohio	Zip	45414	Country	U.S.A.
Name of Additional Joint Inventor, if any				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Mark				Baes			
Inventor's Signature <i>MBaes</i>				Date <i>2/11/08</i>			
Residence: City Bonita Springs		State Florida		Country U.S.A.		Citizenship U.S.A.	
Mailing Address 26401 Lucky Stone Road #102							
City	Bonita Springs	State	Florida	Zip	34135	Country	U.S.A.
Name of Additional Joint Inventor, if any				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Inventor's Signature				Date			
Residence: City		State		Country		Citizenship	
Mailing Address							
City		State		Zip		Country	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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SUPPLEMENTAL DECLARATION FOR REISSUE PATENT APPLICATION TO CORRECT "ERRORS" STATEMENT (37 CFR 1.175)	Attorney Docket Number	0315-000451/REX
	First Named Inventor	Hung M. Pham et al.
	COMPLETE	
	Application Number	10 / 760,173
	Filing Date	1-16-2004
	Art Unit	3744
	Examiner Name	Chen-Wen Jiang

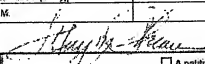

I/We hereby declare that:

Every error in the patent which was corrected in the present reissue application, and which is not covered by the prior oath(s) and/or declaration(s) submitted in this application, arose without any deceptive intention on the part of the applicant.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Hung M.		Pham	
Inventor's Signature		Date	2/3/08
Name of Second Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Abtar		Singh	
Inventor's Signature		Date	3/7/08

☒ Additional inventors or legal representatives are being named on the two supplemental sheets PTO/USB/12A or 12LR attached hereto

This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 123 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.3 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 7.

DECLARATION**ADDITIONAL INVENTOR(S)
Supplemental Sheet**

Page 2 of 2

Name of Additional Joint Invention, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Jean-Luc				Caillat			
Inventor's Signature <i>Jean-Luc Caillat</i>				Date <i>2/8/2008</i>			
Residence: City Dayton		State Ohio		Country U.S.A.		Citizenship France	
Mailing Address 7001 Settlement Way							
City	Dayton	State	Ohio	Zip	45414	Country	U.S.A.
Name of Additional Joint Invention, if any				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Mark				Bass			
Inventor's Signature <i>MBass</i>				Date <i>2/1/08</i>			
Residence: City Bonita Springs		State Florida		Country U.S.A.		Citizenship U.S.A.	
Mailing Address 26401 Lucky Stone Road #102							
City	Bonita Springs	State	Florida	Zip	34135	Country	U.S.A.
Name of Additional Joint Invention, if any				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Inventor's Signature				Date			
Residence: City		State		Country		Citizenship	
Mailing Address							
City		State		Zip		Country	

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